

State Officeholders/Candidates Not on Ballot Q&A

2008 Filing Schedule

1. *Are the electronic \$5,000 reports required if a contribution is received by a state candidate's legal defense committee, officeholder committee, other state or local election committee, or a general purpose ballot measure committee?*

A: Yes. All controlled committees,¹ except primarily formed ballot measure committees, must file these reports. For example, a general purpose ballot measure committee controlled by a state officeholder not seeking election in 2008 must file the \$5,000 report if the committee receives a contribution of \$5,000 or more during the calendar year.

2. *If a state officeholder's current or future campaign committee makes contributions totaling \$500 during one of the pre-election periods, must the officeholder file pre-election statements for his or her legal defense committee, officeholder committee, other state or local election committees, or general purpose ballot measure committee?*

A: Yes. All committees, except primarily formed ballot measure committees, must file pre-election statements whenever the controlling candidate is required to file pre-election statements in connection with a state primary or general election.

3. *Our committee filed a supplemental pre-election statement on January 24 in connection with the February 5 state primary election. If we make a \$500 contribution on February 25, what period will our next pre-election statement cover?*

A: The period covered by any statement begins on the day after the closing date of the last statement filed. If your committee filed a statement (Form 460) for the period January 1 through January 19, 2008, the committee's first pre-election statement for the June 3 primary election will cover January 20 through March 17, 2008.

4. *Must a committee that files the online independent expenditure report within 24 hours during the 90 days prior to an election also file the Supplemental Independent Expenditure Report (Form 465)?*

¹ The Commission is considering amendments to Regulation 18530.4 that will require legal defense committees to file statements at the same times and places as any other controlled committee formed by the candidate. It is expected that the regulation will be effective by January 1, 2008. However, until the regulation is amended, legal defense committees are only required to file reports on a quarterly basis and are not subject to the \$5,000 or \$1,000 online reports. Filers should refer to the Commission's website for further information.

A: Yes. The online independent expenditure report does not replace, but is in addition to, the supplemental independent expenditure report.

5. *A state officeholder controls three committees, one formed for the current term of office, a re-election committee and a general purpose ballot measure committee. If one of the committees must file a Supplemental Independent Expenditure Report (Form 465) in connection with the June election, must the other committees also file a report?*

A: No. Only the committee that triggers the Form 465 must file. The report must be filed with the Secretary of State, the City and County of San Francisco, the County of Los Angeles, and the candidate's county of domicile. The filing location addresses can be found on the FPPC web site at the following link: <http://www.fppc.ca.gov/index.html?id=19>

6. *Must a committee file a Supplemental Independent Expenditure Report (Form 465) if an independent expenditure supports or opposes multiple ballot measures?*

A: Yes, but only if \$1,000 or more was expended to support or oppose each ballot measure in the independent expenditure. A separate Form 465 must be filed for each measure supported or opposed.

7. *If a committee makes a \$5,000 contribution to a primarily formed committee supporting a state ballot measure during the late reporting period and files a late contribution report within 24 hours, must the committee also file a \$5,000 Ballot Measure Expenditure Report within 10 days?*

A: As long as the late contribution report contains all of the information required to be disclosed on the \$5,000 Report (i.e., the late contribution made as well as contributions of \$100 or more received since the committee's last report), the late contribution report will fulfill both filing requirements.